

REMARKS/ARGUMENTS

Claims 1-20 remain in the application. Claims 1-10, 15 and 18 are cancelled. Claims 11-13, 16 and 17 are currently amended. Claims 21 through 28 are newly presented.

Drawing Objections

The drawings were objected to for using both reference characters “142” and “152” to designate “conical knobs.” The use of both “142” and “152” to designate “conical knobs” in the specification occurred as a minor and unintentional typographical error on the part of the Applicant. Applicant hereby amends paragraph [0045] of the published specification to use only the reference character “152” to designate “conical knobs,” whereby the use of reference character “142” is limited to use for designating a “passage.” Use of reference character “142” for designating a “passage” is consistent with the text of the specification set forth in paragraph [0043], which reads as follows:

[0043] FIG. 6 best illustrates one or more optional passages 140, 142, 144, 146 formed through the bottom closure 105 for air cooling of the cavity 107. Alternatively, the one or more passages 140, 142, 144, 146 also act as drains that permit passage of liquids, such as rain Or splashed water, through the apparatus 100 without holding moisture in the cavity 107. The passages 140-146 may also enhance producibility when the apparatus 100 is manufactured by injection molding using a resilient plastic material.

Use of reference character “142” for designating a “passage” is also consistent with the drawings, wherein original Figure 6 clearly indicates the reference character “142” is used for designating a “passage” through the bottom closure 105. The above correction of paragraph [0042] thus makes moot the drawing objection. Therefore, the Applicant declines to amend the drawings at this time.

Claim Rejections Under 35 USC § 102

Claims 1-3, 5-11 and 13-15 were rejected under 35 USC § 102(e) over US Patent 6,644,524 to Garvin.

Claims 1-3, 5-10 and 15 are cancelled, whereby the rejection is made moot.

Claims 11 and 13 are amended to depend from allowable claim 16, whereby the rejection is made moot.

Claim 14 depends from now allowable claim 13, whereby the rejection is made moot.

Claim Rejections Under 35 USC § 103

Claim 4 was rejected under 35 USC § 103(a) over US Patent 6,644,524 to Garvin in view of US Patent 4,878,642 to Kirby.

Claim 4 is cancelled, whereby the rejection is made moot.

Claims 12 and 17 were rejected under 35 USC § 103(a) over US Patent 6,644,524 to Garvin.

Claim 12 is amended to depend from allowable claim 16, whereby the rejection is made moot.

Claim 17 is amended to incorporate the allowable subject matter of claim 18, which was objected to as being dependent upon rejected base claim 17, but would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims. The rejection of claim 17 is thereby made moot.

Allowable Subject Matter

Claims 16 and 18-20 were found contain allowable subject matter, but were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims.

Claim 16 is amended to be rewritten in independent form including all the limitations of the base claim and any intervening claims. For at least this reason, claim 16 is believed to be allowable.

Claims 11-14 are allowable as depending from now allowable claim 16.

Claim 18 is cancelled, and the subject matter of objected to claim 18 is incorporated in relevant part in base claim 17 from which claim 18 depended. Claim 17 is now believed to be allowable as incorporating in relevant part the allowable subject matter of objected to claim 18.

Claims 19 and 20 are allowable as depending from now allowable claim 17.

Newly Presented Claims

Newly presented claim 21 substantially recites cancelled independent claim 9, including the subject matter of objected to dependent claim 16 and the relevant subject matter of intervening dependent claims 10 and 15 that is believed to be allowable. Newly presented claim 21

Serial No. 10/607,938
Amdt. dated January 7, 2005
Reply to Office action of Oct. 7, 2004

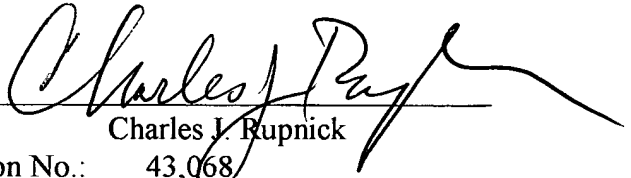
differs slightly in scope from now allowable claim 16, but is believed to be allowable as substantially containing the subject matter of cancelled independent claim 9, dependent claim 16 and intervening claims 10 and 15.

Newly presented claims 22-28 are allowable as depending from allowable claim 21.

The claims now being in form for allowance, reconsideration and allowance is respectfully requested.

If the Examiner has questions or wishes to discuss any aspect of the case, the Examiner is encouraged to contact the undersigned at the telephone number given below.

Respectfully submitted,

Attorney: 
Charles J. Rupnick
Registration No.: 43,068
Date: January 7, 2005
Post Office Address: PO Box 46752
Seattle, WA 98146
Telephone: (206) 439-7956
Facsimile: (206) 439-3223